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15 Plaintiff's Interim Co-Lead Counsel

16 [See Additional Counsel on Signature Page]

17 **IN THE UNITED STATES DISTRICT COURT**  
 18 **FOR THE DISTRICT OF NEVADA**

19 CHERYL A. TINDER-HOWELL, on  
 20 behalf of herself and all others similarly  
 21 situated,

22 Plaintiff,

23 v.

24 UNION PACIFIC RAILROAD  
 25 COMPANY, successor to SOUTHERN  
 26 PACIFIC TRANSPORTATION  
 COMPANY, SFPP, L.P. (formerly known  
 as SANTA FE PACIFIC PIPELINES,  
 INC., formerly known as SOUTHERN  
 PACIFIC PIPELINES, INC.), KINDER  
 MORGAN OPERATING L.P. "D", and  
 KINDER MORGAN G.P., INC.,

Defendants.

FILED ENTERED	RECEIVED SERVED ON
COUNSEL/PARTIES OF RECORD	
DEC - 1 2016	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

CLASS ACTION

CASE NO. 3:15-cv-00317-LRH-(VPC)  
 (consolidated with 3:15-cv-00478)

ORDER

**STIPULATION AND REQUEST TO  
 VACATE CASE MANAGEMENT  
 CONFERENCE**

STIPULATION AND REQUEST TO  
 VACATE CASE MANAGEMENT CONFERENCE

1 Plaintiff Cheryl A. Tinder-Howell ("Plaintiff"), Defendant Union Pacific Railroad  
2 Company ("Union Pacific"), and Defendants SFPP, L.P., Kinder Morgan Operating L.P.  
3 "D", and Kinder Morgan G.P., Inc.'s (collectively, "Kinder Morgan"), jointly submit this  
4 Stipulation and Request to Vacate Case Management Conference.

5 On November 29, 2016, this Court entered an Order staying this lawsuit. *See* Doc.  
6 155. The Court's monthly status conference in this matter is presently set for Tuesday,  
7 December 6, 2016. Given the stay order, the parties believe this status conference is  
8 unnecessary and therefore stipulate to vacate the hearing. The parties believe that the further  
9 scheduled case management conference hearings in this matter (Doc. 134) are also vacated  
10 by the Court's stay order; however, the parties respectfully request clarification from the  
11 Court. The parties are available to update the Court regarding the status of the Ninth Circuit  
12 appeal and the pending related litigation in California, Arizona, and New Mexico on any  
13 schedule desired by the Court.

14  
15 Dated: November 30, 2016

Respectfully Submitted,

/s/ Norman E. Siegel

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19 ***Additional Plaintiff's Counsel***  
20  
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25  
26

1 Dated: November 30, 2016

Respectfully submitted,

2 SHOOK, HARDY & BACON L.L.P.

3 By: /s/ Tammy Webb

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12 *Attorneys for Defendant*  
*Union Pacific Railroad Company*

13  
14 Dated: November 30, 2016

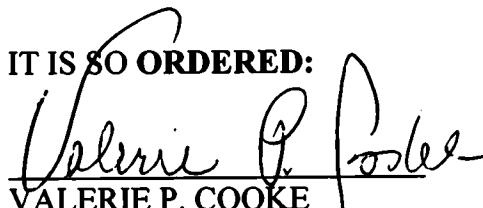
COOLEY LLP

15  
16 /s/ Summer J. Wynn

Summer J. Wynn (admitted *pro hac vice*)

17  
18 Attorneys for Defendants  
SFPP, L.P., KINDER MORGAN  
19 OPERATING L.P. "D," and KINDER  
MORGAN G.P., INC.

20  
21 IT IS SO ORDERED:

22   
23 VALERIE P. COOKE

24 UNITED STATES MAGISTRATE JUDGE

25 Dated: December 1, 2016  
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**CERTIFICATE OF SERVICE**

I hereby certify that, on November 30, 2016, I electronically filed the above and foregoing with the Clerk of Court using the CM/ECF system, which transmitted notice of the filing to all counsel of record.

/s/ Norman E. Siegel  
Norman E. Siegel